

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance:
2. The Information Disclosure Statements (IDS) submitted on 05/04/2010, 05/17/2010, 05/24/2010, and 06/08/10 were filed after the mailing date of the Notice of Allowance on 03/19/2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the examiner. Please see attached copies of Form PTO/SB/08a. 3. The references from these Information Disclosure Statements were considered but are not deemed to be pertinent to the claimed invention. The references provide art on treatment of diabetes, metformin use, the combination of metformin and rosiglitazone, and hydrogel tablets with coatings. The references do not disclose the specific structural constituents (the core, the primary seal coat, the immediate release coating, and the specific active ingredients), the percent of the structural components, their particular arrangement in the tablet, and the dissolution profile associated with the tablet as required by instant claims. Therefore, the claimed invention is still considered novel and patentably distinct.
3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under Ex Parte Quayle, 25 USPQ 74,453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 05/04/2010 has been entered.

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4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Claims 47-51 are allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aradhana Sasan whose telephone number is (571) 272-9022. The examiner can normally be reached Monday to Thursday from 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert A. Wax, can be reached at 571-272-0623. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Aradhana Sasan/
Examiner, Art Unit 1615

/Humera N. Sheikh/
Primary Examiner, Art Unit 1615